

REMARKS

In accordance with the foregoing, claims 1, 6, 7, 11, 16, 24 and 25 have been amended, and claims 3, 15 and 20 have been cancelled without prejudice or disclaimer. No new matter has been entered. Therefore, claims 1, 6-14, 16, 18, 19, 21, 22, 24 and 25 are pending and reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 1, 3, 6-16, 18-22 and 24-25 are rejected under 35 U.S.C. §112, first paragraph and claim 25 is rejected under 35 U.S.C. §112, second paragraph. Regarding the §112, second paragraph, rejection of claim 25, claim 25 has been amended to cure the antecedent basis problem noted in the Office Action. Thus, this rejection is overcome. Regarding the §112, first paragraph, rejections, applicants note that the amendments to the claims find support in paragraphs [0018-22] and [0023]-[0026]. Thus, this rejection is also believed to be overcome.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 3, 8-16, 18-22 and 24-25 are rejected under 35 U.S.C. §102(b) as being anticipated by Aoki (Japanese Publication No. 2000-195060). This rejection is respectfully traversed.

Regarding the rejections of claims 1 and 11, it is noted that claim 1 recites an optical disc, comprising track grooves formed in a radial direction of the disc, with the disc being divided into a plurality of zones, the track grooves being formatted into a waved pattern in the radial direction of the disc, to be overlapping over recorded user data so as to record zone address information for each of the divided zones based on a predetermined modulation rule. According to the claim, each zone has an initial recording capacity and includes a data recording area and coupling areas adjacent to leading and trailing ends of the data recording area, and when a first zone is detected, user data is recorded in the data recording area of the first zone before a predetermined pattern is recorded in at least one of the coupling areas of the first zone, which is recorded until a next zone is detected. Claim 11 additionally includes a recitation of a zone start pattern at an inner circumference of the data recording area, and a zone end pattern at an outer circumference of the data recording area.

Aoki, on the other hand, is directed to a system in which a zone address is recorded in a leading area of zones (unlike the present invention, in which a zone address is recorded into a

waved pattern), and is apparently not related to a disclosure of either zone start or zone end patterns.

In other words, Aoki appears to merely disclose a recording system consisting of alternating ID and DATA areas. There is no available disclosure as to the structure of either area. Hence, for what is understood to be obvious reasons, the ID area should not be considered as anything resembling the claimed coupling or zone start or zone end patterns. Furthermore, it is asserted that the DATA area should not be considered as resembling the claimed user data area since the DATA area is not disclosed as having a zone start or end pattern. Moreover, Aoki also fails to disclose a sequence in which data is recorded to the ID and DATA areas.

Hence, it appears as though Aoki does not disclose several of the claimed features. Indeed, with respect to the features of claim 1, Aoki fails to disclose the claimed coupling areas adjacent to leading and trailing ends of the data recording area. Meanwhile with respect to claim 11, Aoki fails to disclose the claimed coupling areas and the claimed zone start pattern and the claimed zone end pattern. In addition, with respect to both claim 1 and 11, Aoki clearly fails to disclose the claimed recording sequences.

Therefore, it is asserted that claims 1 and 11 are patentably distinguished from the reference to Aoki and that the rejections of these claims are overcome.

Regarding the rejections of claims 24 and 25, it is noted that these claims recite similar features as claims 1 and 11 and are therefore patentably distinguished over the reference similar reasons as set forth above.

Regarding the rejection of the remaining pending dependent claims, it is noted that these claims depend from claims 1 and 11, respectively, and are allowable for at least the reasons as set forth above.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 6 and 7 stand rejected under 35 USC § 103(a) as being obvious over Aoki, in view of Maeda (U.S. Patent No. 6,028,828). This rejection is respectfully traversed. It is respectfully submitted that Maeda at least fails to disclose the deficient features of Aoki, as well as any suggestion for the same. Accordingly, it is respectfully submitted that neither Aoki nor Maeda disclose or suggest the presently claimed invention, alone or in combination. Therefore, for at least the above, it is respectfully requested that this rejection be withdrawn and claims 6 and 7 be allowed.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 11/1/05

By: 
Howard I. Levy
Registration No. 55,378

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510